

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                           |   |           |
|---------------------------|---|-----------|
| FORTRESS SYSTEMS, L.L.C., | ) |           |
|                           | ) |           |
| Plaintiff,                | ) | 8:06CV283 |
|                           | ) |           |
| vs.                       | ) | ORDER     |
|                           | ) |           |
| BANK OF THE WEST,         | ) |           |
|                           | ) |           |
| Defendant.                | ) |           |

This matter is before the court on the plaintiff's Motion for Enlargement of Time (Filing No. 76). In its motion the plaintiff requests the Order Setting Schedule For Progression of a Civil Case [Filing No. 16] be amended to extend the **Daubert** Motion deadline from September 28, 2007 to October 12, 2007, the deposition deadline from October 5, 2007 to October 12, 2007, and the deposition and discovery designations and exhibit list deadline from October 10, 2007 to October 15, 2007. The plaintiff states the defendant's counsel does not object to the filing of this Motion For Enlargement of Time [Filing No. 76]. Accordingly,

**IT IS ORDERED:**

1. The plaintiff's Motion for Enlargement of Time [Filing No. 76] is granted.
2. Any motion *in limine* challenging the admissibility of testimony of an expert witness under Rule 702, Fed. Rules of Evidence shall be filed **on or before October 12, 2007**.
3. All depositions, whether or not they are intended to be used at trial, shall be completed **by October 5, 2007**.
4. The deposition testimony, discovery, and trial exhibit deadlines is extended **to on or before October 15, 2007**.

Dated this 26th day of September, 2007.

BY THE COURT:

/s Thomas D. Thalken  
United States Magistrate Judge